

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

DYLAN FULLER, SR.,

Plaintiff,

v.

TOMMY SHARP, et al.,

Defendants.

Case No. CIV-23-850-J

**ORDER**

Plaintiff, a state prisoner appearing pro se, initiated this civil rights action on September 25, 2023. [Doc. No. 1]. The matter was referred to United States Magistrate Judge Amanda Maxfield Green for initial proceedings consistent with 28 U.S.C. §§ 636(b)(1)(B), (C). On November 1, 2023, Judge Green granted Plaintiff in forma pauperis status and ordered Plaintiff to pay an initial partial filing fee of \$3.89 by November 22, 2023. When Plaintiff failed to do so, Judge Green issued a Report and Recommendation recommending the action be dismissed without prejudice. [Doc. No. 8]. Plaintiff has not filed an objection and has therefore waived any right to appellate review of the factual and legal issues in the Report and Recommendation. *See Casanova v. Ulibarri*, 595 F.3d 1120, 1123 (10th Cir. 2010). Because Plaintiff has failed to pay the initial partial filing fee, the Court ADOPTS the Report and Recommendation [Doc. No. 8] and DISMISSES Plaintiff's action without prejudice. A separate judgment will issue.

IT IS SO ORDERED this 3<sup>rd</sup> day of January, 2024.



BERNARD M. JONES  
UNITED STATES DISTRICT JUDGE